

PATENT**REMARKS****Introduction**

Claims 22-30 are pending in the present application.

In the above amendments, claims 22 and 29 have been amended and claims 1-11 have been canceled without prejudice.

In the Office Action mailed 6/2/2005, the Examiner rejected claims 1-3, 7-11, 22-25, and 27-29 under 35 U.S.C. 103(a) as being unpatentable over Kumar et al. (Kumar) in view of Chung et al. (Chung) and rejected claims 4-6 and 30 under 35 USC 103(a) as being unpatentable over Kumar in view of Chung and further in view of Sen et al. (Sen). In addition, the Examiner objected to claim 26 as reciting allowable subject matter which is gratefully acknowledged by the Applicant.

Claim Rejections – 35 USC § 103

In the Final Office Action, the Examiner maintained the rejections originally set forth in the Non-Final Office Action dated 8/20/2004 and in the "Response to Arguments" section of the Final Office Action, states that "This argument is also seen as irrelevant because the claim does not specify that only the reverse supplemental channel be controlled."

In response, Applicant has amended the pending independent claims, i.e., independent claims 22 and 29, to require that the second power control stream controls a transmit characteristic of **only** the reverse supplemental channel.

In particular, claim 22 now recites "receiving a second power control stream for controlling a transmit characteristic of **only** the supplemental channel" (emphasis added). Furthermore, claim 29 now recites that a controller is configured to control "a transmit characteristic of **only** the reverse supplemental channel based on the second power control stream" (emphasis added). It is respectfully submitted that neither Kumar nor Chung, individually or in combination, teaches or suggests such a claimed feature.

It is respectfully submitted that the rejections of claims 1-11 are now deemed moot in view of their cancellation and that dependent claim 30 is allowable at least for the reason given above for independent claim 29 from which it depends.

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Allowable Subject Matter

Applicant gratefully acknowledges the indication of allowable subject matter recited in claim 26. However, Applicant has elected not to place the claim into the form suggested by the Examiner at this time.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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